

Mayor David Anderson called the regularly scheduled council meeting of April 21, 2009 to order at 7:00 p.m. Present for the meeting were Mayor Anderson, Council President Dave Gray, Council Members John Langs, Chris Clark, and Connie Wells, Student Council Representative Riley Boorman, City Clerk Kris Larson, City Administrator Stephen Boorman, Assistant City Administrator David Sims, Police Chief Rick Alonzo, Water Department Supervisor Jim Fritzsche, Firemen Doug Ladely and Adam Arthur, Economic Development Coordinator Mike Sloan, and City Attorney Tim Wilson. Also present were Bob Graham, Dave Kramer, Marcia Cossette, Julie Golder, Jason Thomas, and Pastor Tara Roberts.

Jason Thomas spoke to Council regarding the community garden program. This program will be for gardens for people in apartments or growing food for the food bank. He said the Grow Group are registered with the State and have all their paperwork in order. There has been over \$1,600 raised by the Grow Group. The probation group is looking at having juveniles work in the garden. The Riverside High School is growing plants for the garden. He said there is area near the Trinity Lutheran Church that will be used. There are many entities and businesses that are working on this project. The mission is to get Boundary County to food security. Jason is asking the city for a water meter and for free water at the Trinity Lutheran Church site. He said the food that is grown at the Tribal site and the Tomlinson/Janza site on Kaniksu Street will go to the food bank. He said this is totally non-profit to help those in need in the county. He asked for water consideration at the Tomlinson site also. The sites are divided into lots and people are asked to pay \$20 for the lot use. People are also donating tools for the project. He said lectures are also being held to teach people how to garden organically. Jason said the concepts of growth as well as community connection are goals. David Sims asked if they have thought about connecting to the Lutheran Church's existing water service. Jason said it would not work well because of the hose problems. David said a new water service would cost about \$2,500. Jason said it would be worth it. He said they have a contract with the Lutheran Church for three years and the Grow Group is installing seven foot fences around the area. Jason said there is quite an energy source with the group working on this project. Jason is asking the city to pick up the difference in what the additional cost of water would be on the Kaniksu site. Stephen said there is a way to install an additional meter for the Lutheran Church to use to tell how much water is being used by the Community Garden. He said this would have to be an agreement between the Grow Group and the Trinity Lutheran Church. Mayor Anderson said the city has to look at the legalities of the issue and no action can be taken tonight since the issue is not agenzized. Attorney Tim Wilson said he has some comments to make. Stephen told Jason to come in and fill out the utility service application so the cost estimate can be more concrete. Dave Gray wants to have more information. Jason asked what he should say to the Lutheran Church. Tim Wilson said the city cannot take any action or make any official comments. Stephen said the agreement with the Lutheran Church would be an agreement only between the Grow Group and the Lutheran Church and the city would not be involved.

Rick Alonzo said there have been four warrant arrests, one DUI arrest, and five suspended driver arrests. He said many drivers are leaving their vehicles parked in the local parking lots over night on Fridays and Saturdays. There have been six reportable accidents, one burglary in the county and one rape in the county that the city police assisted investigating. Rick commented that it is very nice to have the female officers to work on these types of cases. There were two domestics and one malicious injury to property. The aggressive driving program grant was completed and there is enough credit to order another radar unit. Rick said Heiko Arshat is at POST in Coeur d'Alene and is doing well.

Doug Ladely gave the fire report. He said nine firemen attended the classes at the North Idaho Emergency Services Academy. He said the new rescue vehicle is now in service. There was one mutual aid call.

Stephen said the commercial lighting breakfast was held and there were over 30 people in attendance. He said cleanup week is April 27- May 1, 2009 and it works well for the citizens. Station 2 is being worked on. Start up for the clarifier project is April 27th. Phase 2 water project has not yet been approved by DEQ. Stephen said they must sign off on the project because they are the interim loaning entity. He said the sewer projects are being worked on and the estimated cost is \$50,000. The pool concrete pour was started today. David said the internet link to the departments on the hill has been a problem for about a year. He said Tim Wilson donated some surplus equipment that he had and one of the antennas has helped the problem and made the connection work much better.

John Langs moved to approve the consent agenda. Chris Clark seconded the motion. The motion passed, all in favor. The consent agenda contained the following: roll call; approval of accounts payable and payroll; approval of the Treasurer's report; approval of April 7, 2009 council meeting minutes.

Connie Wells moved to postpone the sewer rate increase until a later date due to the economy. Tim Wilson said there becomes a problem of notice and reasonableness if the council continues to postpone the issue. He said the council should make a decision of yes or no. He asked if Connie's motion was to reject the rate increase. Connie said it was. Connie clarified that she wanted to reject the sewer rate increase. Dave Gray seconded the motion to deny the sewer rate increase. John Langs agreed that this is the wrong time to put additional burden on the rate payers. Riley Boorman asked how soon the funding is needed for the improvements. Dave Gray said he would like to amend the motion to increase the sewer rate two dollars since there are needed improvements. Chris Clark said we have administrators that tell us that the increase is needed to support our infrastructure and we have taken the heat from the public already at the hearing. Dave Gray said there is the need for funding to come in and he sees the need for improvements to our infrastructure and two dollars would help. Chris said the city is going to have to address the system and the upgrades that are needed. He said the requirements are being put on us by outside agencies. Mayor Anderson said if we had not had to have such a large

water increase that he would have been in favor of increasing our sewer rates quite a bit. He understands these are tough economic times. Dave Gray withdrew his amended motion for a two dollar increase. John Langs “yes”, Connie Wells “yes”, Dave Gray “no”, Chris Clark “no. Mayor Anderson voted “no” to break the tie. Connie Well’s motion failed. Chris Clark moved to raise the sewer rates two dollars. Dave Gray seconded the motion. Chris Clark said this is a token amount and asked how many customers we have. Stephen said there are approximately 1400 customers. Chris said his motion would be to increase sewer rates two dollars per customer per edu. Chris Clark “yes”, Dave Gray “yes”, Connie Wells “no”, John Langs “no”. The Mayor voted “yes” to break the tie.

Fire uniforms were the next item discussed. Mayor Anderson said the firemen were not included in the raises given this year and uniforms were discussed in previous years and nothing took place. Doug Ladely showed council the pant and the shirt that are being looked at. He said the pants and the shirts are made of a fire resistant material so they can be worn under the fire suits. Doug said the firemen have always purchased their own uniforms and there is a twenty year span of the different types of clothing that have been worn over the years. Dave Gray said the fire department should look sharp and he encouraged the fire department to hire women on the fire department. John Langs moved to purchase the fire department uniforms. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Dave Gray “yes”, Chris Clark “yes”, Connie Wells “yes”.

John Langs moved to approve the special event permit for Midwives Day on May 5, 2009 and waive the fees. Chris Clark seconded the motion. The motion passed, all in favor.

Dave Gray moved to approve the special event permit for Salsa Festival to be held on May 2, 2009 and waive the fees. John Langs seconded the motion and it passed, all in favor.

Chris Clark moved to approve the National Day of Prayer special event permit and waive the fees. Connie Wells seconded the motion and it passed, all in favor.

Dave Gray moved to accept the bid from Blinds Are Us for the purchase of the visitor center blinds. Connie Wells seconded the motion. The motion passed, all in favor.

A wild animal in the city limits was the next topic of discussion. There is a letter in the packet from Greg Johnson regarding the wolf that is being kept in the city limits. Tim Wilson said with the Council’s concurrence that a letter will be sent to the property owner with a copy to the Fish and Game Department giving notice that this problem is occurring. Dave Gray asked if council is liable if there is an incident. Tim said the State needs to take action and the city needs to give notice to the property owner of the wild animal and the city needs to look at the ordinance we have regarding wild animals. Chris Clark asked about the complaints the city has received. Tim Wilson said there have been reports in the paper as well as other reports that the animal is running at large. Stephen said we want to take care of the issue prior to the swimming pool

opening. Connie Wells asked if the owner of the animal will also be given notice. Tim said they will. Mayor Anderson instructed Tim to send the letter.

Chris Clark moved to set the budget hearing date for September 1, 2009. Connie Wells seconded the motion. The motion passed, all in favor.

Stephen said the regional broadband proposal is a public private partnership to provide broadband to the citizens in our county. Tim Wilson asked council to table this and take it to executive session. Stephen said it is early but it is something for the council to be aware of. David Sims said this project is fiber to the home. It would provide phone service, internet service, and video service and it is much faster than DSL as it is a fiber optic line. He said for businesses that require a fast internet service that this would meet their needs. There was a project that was done in Powell, Wyoming and this is the model for the proposed project. There are parts of Bonner and Boundary County that are in this model and the group heading up this project is intending to apply for Stimulus Funding grant dollars that would pay for the majority of the project. Mayor Anderson said the Powell project was only between the City of Powell and the provider where our model is between different governmental entities and PAC and the provider. David said the project would require the use of the city electric poles and a franchise agreement would need to be formed.

Dave Kramer gave an update on the countywide Emergency Operations Plan. He said the county received a grant in the amount of \$20,000 to make the operations plan be compliant with NIMS. Fred Heywood has been working on the update of the emergency plan. The countywide plan is modeling to mirror the State of Idaho plan and also to meet the federal requirements. The plan does not take away jurisdictional authority or give additional authority. Dave is hopeful that the city will join in signing the county plan. The county will sign on May 11th. Dave said Stephen Boorman has reviewed the plan and his comments have been forwarded to Fred Heywood. Dave reviewed the comments submitted by Stephen. Dave said the outside fire departments are also reviewing the plan and working with Boundary County Emergency Management. Bob Graham said the contractor needs to be paid under the grant by the end of May so it is important that the plan is finalized before that date. He also said the city council needs to review because they are key players along with the county commissioners. Dave Kramer asked if the council would be available to attend the commissioners meeting. Mayor Anderson said he would be at the commissioners meeting. Stephen said the ESF #10 regarding hazardous materials is the biggest problem because of the fire protection in our county. He said there are city fire departments in Bonners Ferry and Moyie Springs and there are taxing districts South of Boundary and Paradise Valley Fire District and the other fire departments are associations that are not taxing districts. He said this complicates the issue. Dave Kramer said this issue is close to being resolved. Dave said it is important to be NIMS compliant and it comes into play when grant funding is applied for. Stephen said FEMA requires NIMS compliance. John Langs moved to authorize the Mayor to sign the Emergency Operations Plan when it meets the Mayor's satisfaction. Dave Gray

seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”.

Clarifier project change order #3 was discussed. Stephen said this is for wall supports and crack repair on the concrete wall. Chris Clark moved to authorize the Mayor to sign Change Order #3 for \$4,451.00. Connie Wells seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”.

Connie Wells moved to authorize the Mayor to sign pay request #2 for S&L Underground. John Langs seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”.

The meter reading contract was discussed. Stephen said we are requesting that we use Retriever Services to perform check reads as well as amend the contract. Stephen said Gus Diel does excellent work. John Langs agreed that Gus is quite conscientious. Chris Clark inquired about the amendment being retroactive to November 1, 2008. Stephen explained that we originally paid Retriever Services on a per hour basis and now it is more cost effective to pay on a per meter basis. Dave Gray moved to authorize the Mayor to sign the amended contract with Retriever Services, Inc. John Langs seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”.

Stephen spoke to council regarding reclosers. He explained that this is a device similar to a household circuit breaker used on primary voltage system so that the electricity is safely disconnected when a line shorts to ground. The first recloser to be replaced would be for the line feeding from the city yards to the east flats. The second that would be purchased would be located by the golf course. John Langs moved to purchase the reclosers. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”.

Dave Gray moved to read Ordinance 513 by title only. Connie Wells seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”. Tim Wilson read the title of Ordinance 513 – Cable Television Franchise Agreement.

Stephen spoke to council regarding the Fire Safe Program. He said Inland Forest Management is doing a number of projects up the Moyie River Road. He said there will not be a cost to the city and it will take out the brush and make our property near the dam more fire safe and reduce fire hazards. Chris Clark moved to enter into an agreement with the Fire Safe Group for work near the Moyie Dam. Connie Wells seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”.

John Langs moved to approve the special event permit for Riverside Auto Center for the auto tent sale from April 29 through May 3, 2009 on the Co-op property. Connie Wells seconded the motion and it passed, all in favor.

John Langs moved to approve the Mugsy's catering permit for the Salsa Festival in the Georgia Mae Plaza for May 2, 2009. Dave Gray seconded the motion and it passed, all in favor.

Dave Sims said the attachment for sewer projects was only for council information. Dave said we have an algae problem in the summer and the conclusion is that it is not harmful and nutrients are put in the river to increase algae growth for the fish. He asked Bob Steeds from Idaho DEQ if he would agree to this because it is not a type of algae that affect the fish and if he would support the city and speak to EPA about it. He said he would consider it if we had the data to characterize the algae. Brett from JUB Engineering spoke to Fish and Wildlife and they would require testing of the algae to make sure it is not harmful to the fish and this would cost about \$40,000 for the first round of testing to prove there are no pharmaceuticals or heavy metals in the algae growth.

Dave Gray moved at 8:55 p.m. to go into executive session per Idaho Code 67-2345 for discussion of legal and personnel issues. John Langs seconded the motion. The motion passed – John Langs “yes”, Chris Clark “yes”, Connie Wells “yes”, Dave Gray “yes”. At 9:14 p.m. executive session ended.

There being no further business, the meeting adjourned at 9:14 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk